

FILED
UNITED STATES DISTRICT COURT CLERK'S OFFICE
FOR THE DISTRICT OF MASSACHUSETTS
NO. 04 CV 11522 (JLT) SEP 13 P 3:55

STEVEN R. KINCAID,

Plaintiff,

vs.

BANK OF AMERICA CORPORATION,

Defendant.

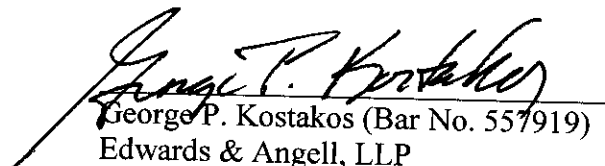
DISTRICT COURT
DISTRICT OF MASS.

04 CV 115 22 WGY

MOTION TO TRANSFER VENUE

NOW COMES Defendant, Bank of America Corporation ("Bank of America"), by counsel, pursuant to 28 U.S.C. § 1404, and moves this Court to transfer this action to the United States District Court for the Western District of North Carolina. In support thereof, Defendant submits the attached Memorandum in Support of Motion to Transfer, the Affidavit of Sheila K. Burroughs, and the Affidavit of Steven T. Ackermann.

This 13th day of September 2004.


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Attorneys for Defendant Bank of America, N.A.


CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing "MOTION TO TRANSFER VENUE" has been served by first-class mail, postage prepaid, upon the attorney for the Plaintiff at the address listed below:

John B. Harkavy, Esq.
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Deborah Martin Norcross, Esq.
60 Marion Road West
Princeton, New Jersey 08540

This the 13th day of September, 2004.


George V. Kostakos